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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,541	03/30/2001	Nancy G. Kidney	US018038	7460

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Michael E. Schmitt
Philips Electronics North America Corporation
580 White Plains Road
Tarrytown, NY 10591

EXAMINER

NGUYEN, TAI T

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 03/16/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,541

Applicant(s)

KIDNEY ET AL.

Examiner

Tai T. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/11/08/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 1 recites the limitation "the itinerary" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 2 recites the limitation "the user" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 3 recites the limitation "the message" in lines 2. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 3 recites the limitation "the user" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-4, 6, and 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Rex (US 6,308,160).

Regarding claim 1, Rex discloses a method for providing a notification service (26) for a transportation system (10, figure 1), comprising initiating sending an electronic notification to a registered party (70) upon a change in an itinerary (figures 1-2; col. 6, line 23 through col. 7, line 60).

Regarding claim 2, Rex discloses the notification including flight and other information being supplying to an user to enable the user to find a relevant site in the transportation system (col. 7, lines 50-60).

Regarding claim 3, refer to claim 1 above, Rex discloses the registered party being a traveler scheduled for using the transportation system (figure 1) wherein the method comprises sending a message to a device (72) on the change in the itinerary of the user (col. 7, lines 36-60).

Regarding claim 4, Rex discloses the step of enabling the user (70) to register with the service (26) and supplying the device (72) to the user (70, col. 7, lines 36-44).

Regarding claim 6, as mentioned in claim 4 above, Rex discloses the step of enabling the user (70) to register with the service (26) for receiving the service (70, col. 7, lines 36-44).

Regarding claim 9, Rex discloses a data processing device (72), for use with a personalized communication service (26) provided to a user (70), comprising:

a wireless communication module (72) for receiving of a notification regarding a change in a itinerary of the user and initiated by service (26, figure 2); and
a rendering module (74) for rendering the notification to the user (col. 36-60).

Regarding claim 10, refer to claim 2 above.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rex (US 6,308,160) in view of Agnew (US 2003/0158657).

Regarding claim 5, Rex discloses the instant claimed invention except for: the device comprises a navigation module to enable the user to find the relevant site in the transportation. Agnew teaches a wireless mobile phone (3) comprising a navigation module (figures 1 and 3, paragraphs 35-38). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the navigation system as taught by Agnew in the system as disclosed by Rex for the purpose of guiding the user to a desired destination.

11. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rex (US 6,308,160) in view of Saylor et al. (US 6,400,265).

Regarding claim 7, Rex discloses the instant claimed invention except for: the method further comprising enabling the user to state a reference regarding to a modality of the notification. Since Rex discloses the traveler is requested to specify when, relative to his/her flight departure time, he/her would like to be notified or paged (col. 3, lines 49-60), wherein prior to flight departure, a transmitter (74) for transmitting an alert signal to a personal receiver (72) for displaying on a screen (col. 6, line 37 through col. 7, line 8), it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use other reference of notification e.g. vibration or audible/visual alarm to indicative departure time of his/her flight is coming to enable the user be prepared to catch his/her flight on time. Saylor et al. teach a method for monitoring security system including a step that a user being notified via various of communications, e.g. Internet (150), POTS (152) wireless communication portals, or voice portals, based on the user preferences and other information (col. 4, lines 42-46). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the user preference of notification as taught by Saylor et al. in the system as disclosed by Rex for the purpose of satisfying the user's needs in order to notify the user upon the change in the itinerary.

Regarding claim 8, Rex discloses the instant claimed invention except for: the step of enabling the user to register another party for receipt of at least a part of information in the electronic notification. Saylor et al. teach a step of enabling the user to register another party for receipt of at least a part of electronic notification based on a detection of an alarm situation (col. 4, lines 47-54 and col. 7, lines 45-50). Therefore, it

would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the method of notifying another party registered by the user as taught by Saylor et al. in the system as disclosed by Rex for the purpose of notifying the user's family members know what's going on to the user.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Isomichi et al. (US 6,633,225);

Nelson (US 6,496,568);

Tanimoto et al. (US 5,969,706); and

Burgener (US 5,736,940).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (703) 308-0160. The examiner can normally be reached on Monday-Friday from 7:30am-5:00pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu, can be reached at (703) 308-6730. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



March 10, 2004
Tai T. Nguyen
Examiner
Art Unit 2632